THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.29088/1995

Dt. 13-3-2006

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Garla Pattabhi Rama Gupta ..Petitioner

V.

1. Mandal Revenue Officer, Chinthakommadinne Mandal, Cuddapah District and others.
..Respondents.

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.29088/1995

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ORAL ORDER

The petitioner who was assigned an extent of Ac.5-00 cents of land in S.No.1098/2 of Ippapenta Village filed the present writ petition questioning the high-handed and arbitrary action of the respondent 1 and 2 in transferring the land to the third respondent contending that after assignment, he brought it under cultivation and has been paying land revenue. While so, when the local forest officials objected, he approached the Mandal Revenue Officer,Chinthakommadinne for furnishing copies of 10(1) adangal. The Mandal Revenue Officer gave a written endorsement stating that copies cannot be given as the land was transferred to the Executive Engineer, Buggavanka Project, Kadapa District.

In response to the rule nisi issued, a counter-affidavit has been filed by the Mandal Revenue

Officer, Chinthakommadinne, admitting assignment of land in favour of the petitioner, its resumption under Condition No.17 for public purpose by paying compensation of Rs.78000/- by way of DD lNo.794774 dt. 29-10-1998 and taking over of property. It is specifically averred that after following the rules in force, it has been resumed to the Government for excavation of left side channel of Bugga Vanka project for public purpose.

The facts as mentioned in the counter-affidavit about assignment of land, its resumption and payment of compensation have not been controverted by filing a rejoinder. In view of the same, the complaint of the petitioner that the authorities took the land without following due process of law cannot be countenanced.

The Writ petition is accordingly dismissed. No costs.

13-3-2006

kmr